

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

08 CIV. 4004

DARIEN MOORE a/k/a TYRONE ROUSE,

v.

THE CITY OF NEW YORK AND SEVERAL UNIDENTIFIED POLICE
OFFICERS ASSIGNED TO THE 46TH PRECINCT.

JUDGE LYNCH

TO: THE CITY OF NEW YORK c/o MICHAEL A. CARDOZO, CORPORATION COUNSEL,
100 CHURCH STREET, NEW YORK, NEW YORK 10007

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court
and serve upon PLAINTIFF'S ATTORNEY (name and address)

TRACIE A. SUNDACK & ASSOCIATES, L.L.C.
19 COURT STREET, 3RD FLOOR
WHITE PLAINS, NEW YORK 10601
914-946-8100

an Answer to the complaint which is herewith served upon you, within 20 days after service of
this summons upon you, exclusive of day of service. If you fail to do so, judgment by default
will be taken against you for the relief demanded in the complaint. You must also file your
answer with the Clerk of this Court within a reasonable period of time after service.

CLERK

CLERK

DATE

BY DEPUTY CLERK

APR 29 2008

2008 APR 8 PM 3:42
COMMUNICATIONS SECTION
OFFICE OF THE CLERK, COMMISSIONER
CITY OF NEW YORK, DEPARTMENT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DARIEN MOORE a/k/a TYRONE ROUSE,

Plaintiff,

08-CV-4004 (GEL)

-against-

THE CITY OF NEW YORK AND SEVERAL
UNIDENTIFIED POLICE OFFICERS ASSIGNED
TO THE 46TH PRECINCT,

Defendants.

-----X
**COMPLAINT
AND JURY DEMAND**

ECF CASE

Plaintiff DARIEN MOORE a/k/a TYRONE ROUSE by his attorneys, TRACIE A.

SUNDACK & ASSOCIATES, L.L.C., complaining of Defendants THE CITY OF NEW YORK
AND SEVERAL UNIDENTIFIED POLICE OFFICERS ASSIGNED TO THE 46TH PRECINCT,
respectfully alleges as follows:

PRELIMINARY STATEMENT

1. Plaintiff brings this action for compensatory damages, punitive damages and attorney's fees pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 1988 for violations of his civil rights, as said rights are secured by said statutes and the Constitutions of the State of New York and the United States.

JURISDICTION

2. This action is brought pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 1988, and the First, Fourth, Fifth, Sixth, Eight and Fourteenth Amendments to the United States Constitution.

3. Jurisdiction is founded under 28 U.S.C. §§ 1331, 1343 and 1367.

VENUE

4. Venue is properly laid in the Southern District of New York under U.S.C. § 1391(b) in that this is the District in which the claim arose.

JURY DEMAND

5. Plaintiff respectfully demands a trial by jury of all issues in this matter pursuant to Fed. R. Civ. P. 38(b).